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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/820,360

04/07/2004

Melvin Pardue

1201-031/ddh

7626

21034

7590

05/02/2006

IPSOLON LLP
111 SW COLUMBIA
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PORTLAND, OR 97201

EXAMINER

BREAN, LAURA MICHELLE

ART UNIT

PAPER NUMBER

3724

DATE MAILED: 05/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/820,360

Applicant(s)

PARDUE ET AL.

Examiner

Laura M. Brean

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 4/17/2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9 is/are allowed.
- 6) ☒ Claim(s) 10-12 is/are rejected.
- 7) ☒ Claim(s) 13-14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 4/17/2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 10 -12 are rejected under 35 U.S.C. 102(b) as being anticipated by Morris et al. (U.S. Patent 2,483,660), herein referred to as Morris. Morris discloses an attachment for mold carriers that is capable of being used as a stop pin for a folding tool comprising an elongated body (12,34,14) having a first end and a second end (as shown in Figure 2) a cylindrical outer surface adjacent the first end (14), a second cylindrical outer surface adjacent the second end (10), and a central portion (34) between said first and second cylindrical outer surfaces, said central portion (34) defined by a plurality of planar surfaces (as shown in Figure 2), a first axial bore (16) in the first end (14) having a first diameter, said first axial bore extending partially along the length of the stop pin and terminating at a shelf (as shown in Figure 1 where the threads ,16, end), and a second axial bore (beginning on the other side of the shelf) extending from said shelf at least partially toward said second end, said second axial bore having a smaller diameter than said first axial bore, and wherein the radial distance from the longitudinal axis to at least one of said planar surfaces is different from the radial distance from the longitudinal axis to at least one other of said planar surfaces. Morris discloses multiple planar surfaces, six of which have flat, horizontal planes that

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encompass the circumference of the carrier, reference 10, and an additional six planar surfaces that triangularly encompass the circumference of the carrier at the corner of the previous six planar surfaces. The triangular planar surfaces have a radial distance different from the radial distance of the horizontal planar surfaces.

In regards to claim 11, Morris discloses that the first axial bore (16) is threaded.

In regards to claim 12, Morris discloses that the second axial bore defines a tool engaging means capable for allowing a tool inserted into the second axial bore to axially rotate said stop pin.

Allowable Subject Matter

3. Claims 1-9 are allowed.

Claims 13-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

4. Applicant's arguments filed 4/17/2006 have been fully considered but they are not persuasive. In regards to claim 10, the applicant amended the claim to additionally require the limitation that "the radial distance from the longitudinal axis to at least one of said planar surfaces is different from the radial distance from the longitudinal axis to at least one other of said planar surfaces. However, as noted in the first office action, Figure 2 of Morris discloses multiple planar surfaces, six of which have flat, horizontal

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planes that encompass the circumference of the carrier, reference 10, and an additional six planar surfaces that triangularly encompass the circumference of the carrier at the corner of the previous six planar surfaces. Therefore, Morris still anticipates claim 10, as the triangular planar surfaces have a radial distance different from the radial distance of the horizontal planar surfaces.

Conclusion

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura M. Brean whose telephone number is (571) 272-8339. The examiner can normally be reached on Monday through Friday, 8:00am to 4:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on (571) 272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LMB
04/21/2006



BOYER D. ASHLEY
SUPERVISORY PATENT EXAMINER